

UNITED STATES DISTRICT COURT
Middle District of North Carolina

RICKY LYNN YATES,

)

Petitioner,

)

v.

)

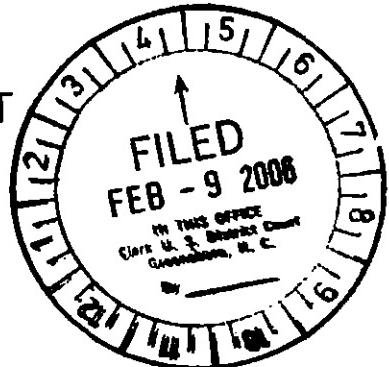
ERNEST SUTTON, Supt. of
Pasquotank Correctional Institution,

)

Respondent.

)

1:05CV381



J-U-D-G-M-E-N-T

For the reasons set forth in the order filed contemporaneously with this
Judgment,

IT IS HEREBY ORDERED AND ADJUDGED that Respondent's motion for
summary judgment [Pleading no. 4] be **GRANTED**, and that this action be, and is
hereby, dismissed with prejudice. Finding no substantial issue for appeal concerning
the denial of a constitutional right affecting the conviction, nor a debatable
procedural ruling, a certificate of appealability is not issued.

thomas j. bellwether
UNITED STATES DISTRICT JUDGE

DATE: February 9, 2006